

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12281 of 2023

Arising Out of PS. Case No.-285 Year-2022 Thana- ADAPUR District- East Champaran

Ramesh Paswan Son Of Jhingar Paswan R/V- Shyampur, P.S.- Adapur,
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar No.1, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-04-2023 Heard Mr. Rakesh Kumar No. 1, learned counsel
appearing on behalf of the petitioner and Mr. Ajit Kumar,
learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Adapur P.S. Case No. 285 of 2022 registered under Section
30(a), 32, 41(i) of the Bihar Prohibition and Excise Act.

3. The prosecution, in brief, is that 91.20 litres of
Nepali Kasturi country made liquor has been recovered from the
bicycle lying on the road.

4. Learned counsel appearing on behalf of the
petitioner submitted that nothing has been recovered from the
conscious possession of the petitioner and petitioner has no
concern with the seized bicycle. Learned counsel further
submitted that petitioner has clean antecedent and he has falsely
been implicated in the present case due to dirty village politics.



5. Considering the fact that 91.20 litres Nepali Kasturi country made liquor has been recovered from the bicycle lying on the road and nothing has been recovered from the conscious possession of the petitioner, the Court below is directed to release the petitioner on anticipatory bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned Special Judge, Excise Court No. 2, East Champaran, Motihari in connection with Adapur P.S. Case No. 285 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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